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The Problem with Human Rights Discourse and Freedom Indices: The Case of Burma/Myanmar Media

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This article details the inadequacies of the widely used Freedom House indices and globally dominant human rights discourse for accurately reflecting the degree of democratic change during two decades of Burmese media development. Drawing on more than 15 years of research and interviews with more than 70 Burmese journalists, activists, and policy makers of various ethnicities, along with analysis of Freedom House reports, the article demonstrates how the most cited indices *underestimate* the degree of democratic change. Their state centrism blinds these indices to the impact of exile Burmese media, and they fail to recognize transformative functions of media that move beyond the transmission of information. This is dangerous, especially given the need for ethnic reconciliation in this long-troubled country and the current rush to fund media development projects.

In mid-2011 and 2012, emotional images began emerging from Burma, also known as Myanmar,[1] featuring political dissidents returning home from exile, greeted by tearful mothers, other relatives, and friends, in many cases after separations of more than 20 years. The government's invitation to return has focused especially on exile media groups that have experienced nearly two decades of verbal attacks in government-run media and jamming of airwaves and cyber attacks on their websites. Yet exile journalists were now being photographed sitting next to Burmese government ministers in several conferences held in 2012, discussing the role of media and the need for reform.

These rapid changes have made headlines worldwide, in part because, as recently as 2 years ago, this would not have been thought possible. Burma is still ranked as "not free" according to Freedom House's *Freedom of the Press* 2011 assessment (published in early 2012), although Burma's "press

[1] The country's name took on political connotations in 1989, when the military regime imposed a name change without a public referendum, a name the opposition refused to recognize. This refusal is shifting with the current changes, but this article uses the name Burma, because its focus is on media that have, until recently, remained in exile and identified with an anti-regime stance.

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freedom score" improved from 94 in 2010 (with 100 meaning completely not free) to 85 in 2011 (Freedom House 2011b, 2012b). Yet these reports, while including passing references to exile media, have retained their focus on media inside the country. Freedom House reports refer to the Burmese exile media groups Irrawaddy and the Democratic Voice of Burma (DVB) as "banned foreign websites" (Freedom House, 2012b, para. 8), not recognizing them as Burmese and interconnected with internal media. Also, in both 2011 and 2012, the *Freedom of the Press* reports identify the "foreign radio programs," the Burmese broadcasts of the Voice of America, Radio Free Asia, and DVB, as "the only source of uncensored information" for those in Burma (Freedom House, 2011b, para. 4; 2012b, para. 7). This disregards a whole host of uncensored alternative media options smuggled or broadcast into Burma over the years and completely ignores the vital role of ethnic nationality media in this multiethnic country.

This article explores how the narrow focus of the most widely used freedom indices threatens to undermine hard-won achievements by the exile Burmese media, especially ethnic minority media, to promote a multiethnic Burma. These indices also reflect a *media as information transmission* model, neglecting the ways in which exile media have provided *relational* and *transformative* functions that aid in the development and recodification of collective identity among ethnic groups long marginalized by state media propaganda. These differing conceptions of the role of media are reflected in long-standing debates over communication rights and in how Freedom House's media freedom indicators have narrowed over the years in ways that threaten to obstruct the transition to a peaceful, multiethnic democracy in Burma. This case study also questions the utility of a state-centric approach to measuring any nation's media environment in the contemporary age of converged media, diasporic movements, and porous borders.

What's at Stake?

The rapid changes of the past few years offer genuine hope to those who have struggled for decades to democratize Burma, a nation whose well-documented, egregious human rights abuses had long made it a global pariah. This pariah status should not be forgotten, however, especially as fighting continues in border regions coveted for their natural resources in ways worrying to local residents and international observers. Burma will be closely watched as the regime loosens its control and undergoes examination with reference to established good governance and freedom indices. The obvious concern is that, although the political/military elite change official laws and regulations, they will fail or refuse to implement them, and governance indicators will overestimate the degree of freedom in the country, including media freedom. This is a valid concern.

The history of Burmese media demonstrates, however, that the most cited indices have actually *underestimated* the development and potential of the Burmese media system in dangerous ways. In addition to their state centrism, they fail to consider key elements of the cultural environment that affect the degree of freedom available to various media and how both the internal private print sector and exile media groups have been pushing to gradually open the communications space over the years. These indices underestimate the information flow into and out of the country, which is especially important given Freedom House's (2012c) stated intention to measure "the entire 'enabling environment' in which the media . . . operate" and "the degree of news and information diversity available to the public . . . from

either local or transnational sources" (para. 9). This has important implications for ongoing policy developments in the country.

Freedom House produces several reports related to media freedom in Burma, including the *Freedom of the Press*, *Freedom on the Net*, and *Freedom in the World* reports. I have analyzed all three of these reports for the last 2 years (reports in 2012 and 2011 reporting on events in 2011 and 2010, respectively), along with how Burma's scores on these reports have changed over time. This article also draws on more than 15 years of research on Burmese media and interviews with more than 70 Burmese journalists, activists, politicians, and policy makers of varying ethnicities. We begin with a discussion of governance indicators.

Governance Indicators and Human Rights

Critiques of the increasing use of international governance indicators since the 1970s to judge the performance of states, especially in the global south, fall into two general categories. The most voluminous body of work strives for universal measures or models but finds current indicators methodologically problematic because they lack objectivity, transparency, validity, reliability, and replicability, or because they employ insufficiently sensitive dichotomous classifications (Berg-Schlosser, 2004; Høyland, Moene, & Willumsen, 2009; Mainwaring, Brinks, & Pérez-Liñán, 2001; McCamant, 1981; Merkel, 2004; Scarritt, 1981). Critics also point out that, although the indices may be useful for recognizing general trends, they are not useful for in-depth comparative analysis (Goldstein, 1986; McCamant, 1981; Merkel, 2004). Critics argue that they do not adequately reflect actual conditions; that policy makers may engage in "rank-seeking behavior" rather than good policy; that there is a high degree of "noise" in score calculation; and that "the rankings therefore end up emphasizing imaginary differences between countries as if they were distinct and real" (Høyland et al., 2009, pp. 3, 21; Mainwaring et al., 2001; McCamant, 1981). As Høyland et al. (2009) warn, "the belief in accuracy in the presence of inaccuracy may lead to a shift in focus among reformers from what really counts to what the makers of these rankings count" (p. 22). This, they argue, is the "tyranny of the international index rankings" (p. 22).

The second, less voluminous, category of critique, while also concerned with methodology, focuses on the ideological implications of ranking states to measure stability and opportunities for donors and investors (Giannone, 2010; Goldstein, 1986; Lowenheim, 2008; Scoble & Wiseberg, 1981). Critics note that the economic, political, and social structures of many southern countries targeted for examination are fundamentally different from those of their northern examiners. The process constructs the examined state as responsible for its negative scores and for future improvement while disregarding (even if unintentionally) the responsibility of powerful states and corporate actors for a host of related problems (Lowenheim, 2008). The global inequities in communication resulting from colonialism are an obvious case in point, as are concerns that geopolitical interests significantly skew these indices (Giannone, 2010; Lowenheim, 2008; Scoble & Wiseberg, 1981). The most prominent governance indices, critics argue, are "eminently political acts . . . [that] reflect the power of some persons to define key terms with reference to their own preferred values" (Scoble & Wiseberg, 1981, p. 148).

Nevertheless, these indices have become so globally influential that they "are often considered as a condition (i.e. a sort of natural order of things) rather than a narration (i.e. a product of human action)" (Giannone, 2010, p. 70). Their "appearance of scientific objectivity and methodological rigour" involves "elaborate qualitative assessments and judgments of state performance in issues and spheres that are essentially ideological and politically informed" (Lowenheim 2008, pp. 257, 258) and ultimately functions to justify the problematic global distribution of power and resources (Scoble & Wiseberg, 1981). The broad use of the Freedom House Index, for example, is a result of "its (presumed) neutrality, its capacity for political conditionality, and the international reach of its actions" (Giannone, 2010, p. 73). The allegedly objective examination process "enables power wielders to depersonalize and decontextualize their power, to generate an appearance of impartiality, and to reduce legitimate opposition to their authority" (Lowenheim, 2008, p. 268). These indices' importance has increased since September 11, 2001, as policy makers call for good governance, democracy, and poverty reduction to reduce terrorism (Giannone, 2010; Lowenheim, 2008). And while some states have resisted the indices' judgments, global legitimacy has made them increasingly difficult to ignore, "an authoritative 'seal of approval'" for nations in need of aid and wary of being "categorized as 'opaque', 'delinquent', 'despotic', 'rogue', etc" (Lowenheim, 2008, pp. 263, 262).

Critiques of the narrow liberal version of democracy these indices promote echo a growing body of analysis woefully underutilized among academics and policy makers, examining how human rights have been leveraged historically and in whose interests. Critics argue that the indices emphasize individual freedoms to the detriment of economic and social rights, which are reframed as social services. The concept of freedom has been twisted to become synonymous with "free trade, free market, and freedom of enterprise, as the sole legitimate guarantors of the various individual freedoms" (Giannone, 2010, p. 72).

The focus on individual freedoms and the largely unquestioned notion of the autonomous individual undermines the need for attention to social, economic, and cultural (SEC) rights. Analyzing First Amendment and free speech issues in the United States, DeMaske (2009) draws from a history of critique demonstrating how the notion of the autonomous individual assumes that "a level of equality already exists among members of the citizenry" and thus "disenfranchises and completely silences those who are already disempowered socially, politically, and economically" (pp. 51–52; see also Merkel, 2004; Wasserman, 2006). Globally, postcolonial scholars argue that "centres of power in the North have narrowed the meaning of human rights itself in order to perpetuate their dominance. Human rights are synonymous with individual civil and political rights within the nation-state," while economic and social rights, such as freedom from hunger and disease, are not even considered rights among "certain circles in the North" (Muzaffar, 1993, pp. vi–vii; see also Cheah, 2006; Nyamnjoh, 2005, 2009; Rajagopal, 2006). The common justification for the prioritization of individual civil and political rights is that SEC rights cannot be addressed in the absence of a democratic order, yet critics point out that individual rights have little meaning for people struggling to meet their basic needs or gain the skills necessary to enact individual rights.

The prioritization of individual rights also undermines the needs of those in multicultural societies with allegiances to both local cultures and their country (Brooten, 2006; DeMaske, 2009; Nyamnjoh,

2005, 2009). Nyamnjoh (2009) writes eloquently about the tensions in Africa between allegiance to cultural or ethnic communities and "dominant theories of journalism that demand of journalists professional independence and detachment" (p. 8). This journalism, "being ahistorical, also trivializes [the people's] collective experiences and memories in the guise of a socially and culturally disembedded professional ethic" that is more of a liability than an asset "to the aspirations for recognition and for a voice by the very Africans and communities [the media] target" (Nyamnjoh, 2009, pp. 13, 16). I have made similar arguments about journalism training provided to Burma's ethnic nationality journalists (Brooten, 2006).

While some Asian leaders and scholars promote cultural relativism through "Asian values," which they claim need protection from Western, individualistic definitions of human rights, other scholars from the global south critique both this and the dominant Western approaches. They call for recognition of the interdependence of individual and collective rights (Musa Bin Hitam, 1996; Muzaffar, 1993; Scoble & Wiseberg, 1981; Wasserman, 2006). Amnesty International and Human Rights Watch have been criticized for prioritizing civil and political rights while neglecting the structural violence, such as poverty and lack of education, that prevents their realization (Muzaffar, 1993; Onuma, 1999; Wasserman, 2006). Critics point to the arrogance of Western officials and human rights workers who uncritically consider their own nations or media more advanced because of their attention to political and civil rights. Indeed, international law and international organizations operate with an implicit hierarchy of rights, prioritizing individual civil and political rights in assessing human rights performance, court cases, priorities for change, and dispersal of foreign aid (Giannone, 2010; Goldstein, 1986; Lowenheim, 2008; Mainwaring et al., 2001; McCorquodale, 1996; Muzaffar, 1993; Scoble & Wiseberg, 1981; Wasserman, 2006; Williams, 2010).

Indigenous and other minority communities address collective concerns by calling for self-determination, a concept that emerged during independence struggles and was established as a group-oriented right under the International Covenant on Economic, Social and Cultural Rights. Nevertheless, the UN Human Rights Committee has been criticized for not paying much attention to this issue (McCorquodale, 1996). The concept has also been dropped from the Freedom House indicators.

Freedom House Rankings

The Freedom House (FH) Index is reportedly "the most used tool for measuring democracy" (Giannone, 2010, p. 69) by major international and donor organizations such as the United Nations and the World Bank, major media, authors, and commentators. Yet critics maintain that the FH measurement instruments are so grounded in neoliberal theory that freedom is emphasized alongside "an almost complete disregard for equality" (Giannone, 2010, p. 91), closing off discussion of other potential ways of organizing (Merkel, 2004; Scoble & Wiseberg, 1981). The index emphasizes formal and procedural rather than substantive aspects of democracy, focusing on individuals' rights as private economic actors (Giannone, 2010), which "predetermines the most favorable rating for the U.S. political system" (Scoble & Wiseberg, 1981, p. 153). And because FH was founded as "a private, tax-exempt defender of US interests" (Scoble & Wiseberg, 1981, p. 152), and the U.S. government provides 80% of its funding, it is problematic to classify it as a nongovernmental organization and ignore its hegemonic role (Giannone, 2010, p. 75). In 1981, Scoble and Wiseberg analyzed the "overlap in membership between the FH Board

of Trustees and the U.S. government elite," arguing that FH is "so partisan and culture-bound that it would be intellectually and politically dangerous to rely on it" (Scoble & Wiseberg, 1981, pp. 161, 167–168), a critique made more recently by Giannone (2010). Nevertheless, its pervasiveness means that the FH Index "defines the field of demandable human rights" (Giannone, 2010, p. 91).

Several scholars have challenged FH's measurement instruments. Goldstein (1986) argues that "the basis for the assignment of [FH] scores seems to be entirely impressionistic . . . the scales are obscure, confusing, and inconsistent, and change over time" (p. 620). Similar critiques are leveled by McCamant (1981) and Scoble and Wiseberg (1981), who also note these indices' problematic state centrism. Giannone (2010) finds that, between 1993 and 2006, the Freedom House Index checklists changed, reprioritizing civil and political rights to the detriment of SEC rights, individual rather than social protections, and private property and free enterprise at the expense of public goods. In addition, the indicator "freedom from gross socioeconomic inequality" (Giannone, 2010, p. 86) disappears from the index after 1990, and "free and independent media" refers to freedom from interference by *government*, yet ignores economic interference (Freedom House, 2011a; Giannone, 2010; Scoble & Wiseberg, 1981).

The right of self-determination, present in the 1993 checklist, was gone by 2006 (Giannone, 2010). By 2002, the language referring to the self-determination of countries had been changed to assess whether "the people" are free from domination by the powerful, and in 2011 to ask whether "people's political choices" (Freedom House, 2011a, p. 3) are free from such domination. The 1993 concern with "self-determination, self-government, autonomy or participation through informal consensus" for "cultural, ethnic, religious and other minority groups" had been shortened by 2006 to refer to "full political rights and electoral opportunities" (Giannone 2010, p. 80) for these same groups, wording that remains today (Freedom House, 2011a).

The language about political organizations has also changed to protect "private and business freedom to the detriment of the role of public institutions" (Giannone, 2010, p. 89). Although the 1993 index measures whether "political power [is] decentralized, allowing for local, regional and/or provincial or state administrations led by their freely elected officials" (p. 81), by 2003, this had changed to asking whether "freely elected representatives" determine government policies. By 2006, this further narrowed to whether "freely elected head of government and national legislative representatives" (Giannone, 2010, p. 81) do so, wording which remained through 2011 (Freedom House, 2011a). Also, the 1993 wording about "the freedom of political or quasi-political organizations" had changed by 2006 to "freedom for non-governmental organizations," including "civic organizations, interest groups, foundations, etc." (Freedom House, 2011a, pp. 6–7; Giannone, 2010, p. 84). Thus, "the focus moves from political parties to foundations and interest groups, from the protection of public or quasi-public groups to the protection of private interest groups" (Giannone, 2010, p. 88). For example, all mention of cooperatives has been replaced, so that "the core of the checklist is the protection of 'property rights' . . . [and] free private business against any form of interference" (Giannone, 2010, p. 88). In addition, "freedom" in the checklist only includes the negative freedoms represented by civil and political rights and not governments' responsibility to promote positive social, economic, and cultural rights (Scoble & Wiseberg, 1981; Wasserman, 2006). Giannone (2010) further notes "a perfect coincidence between FH changes and the strategies of U.S. foreign policy" (p. 89), an issue worth considering in Burma's case as well.

Burma/Myanmar: Some Background

After Burma gained independence from Britain in 1948, the people experienced only a few years of civilian rule before General Ne Win took over in a military coup in 1962. The country then languished in isolation for decades while fighting raged between the regime and the ethnic nationality groups, as they prefer to be called. These groups fought for various goals, but primarily for self-determination and the ability to live in peace. Hundreds of thousands of refugees and internally displaced persons have been forced to flee the fighting in rural areas.

The military remained in power despite periodic reshufflings of personnel, most recently as the State Peace and Development Council, until highly problematic elections in November 2010 brought a nominally civilian government to power, headed by former general and now president Thein Sein. As a result of incremental reforms, in December 2011, U.S. Secretary of State Hillary Clinton visited Burma, the highest-ranking U.S. official to visit in 50 years. The government released approximately 600 political prisoners in January 2012, and in early April, the opposition National League for Democracy won nearly all the small number of parliamentary seats up for grabs in by-elections. One of these seats went to National League for Democracy leader and Nobel Peace Prize Laureate Aung San Suu Kyi, who joined a Parliament still overwhelmingly controlled by the military-backed ruling party. Shortly afterward, the United States lifted a travel ban on senior military leaders; the State Department appointed its special coordinator for Burma policy, Derek Mitchell, as the first U.S. ambassador to Burma since 1990; and Secretary of State Clinton announced a partial easing of U.S. sanctions. President Obama visited Burma in November 2012, the first sitting U.S. president ever to do so, given decades of strained relations between the two countries.

During those decades, secrecy and tight control over media characterized military rule, and it will take some time to change the culture of fear, censorship, and self-censorship. After the 1962 coup, Ne Win imprisoned newspaper editors and established state-run newspapers and the Printers and Publishers Registration Law, the primary legal instrument of censorship. Within a few years, the country's previously vibrant private press was destroyed. Of the 30 papers that existed at the start of military rule, by 1988 only 6 remained, all mouthpieces for the army or Ne Win's political party, the Burma Socialist Program Party (Smith, 1991). Writing in 1971, Blackburn summarized the Burmese media as having "an elite orientation and high degree of ideological content. State control of the media was virtually complete, non-Burman elements of the population were denied access to mass communications channels, exogenous messages were carefully monitored" (Blackburn, 1971, p. 1).

Since independent news reporting was forbidden, novels were especially important to the Burmese, who learned to write and read the symbolism between the lines in order to "say it without saying it" (Rodriguez, 2011, p. 110; anonymous Burmese writer, personal communication, December 27, 1999). Other alternatives to forbidden forays into the news included fiction magazines, literary periodicals, films, and, more recently, television, all of which required approval from the country's censorship body, the Press Scrutiny Board. Several writers described to me how they continued to publish their magazines through the years, changing the titles when they ran into trouble. One journalist told me that, like others, she established 13 pen names over the years, each replacing an earlier one as it was added to the

blacklist (personal communication, June 26, 2012).

In 1988, Burmese students spearheaded massive protests in which tens of thousands of civilians, civil servants, and even some police and military took to the streets demanding change. The military regime responded by opening fire on the demonstrators, killing thousands.[2] For several months during and after the demonstrations, the country experienced a hiatus from censorship, and many newspapers, press sheets, and other publications emerged, often satirizing the political situation under Ne Win and Burma Socialist Program Party rule. The coup of September 18 brought the State Law and Order Restoration Council to power, and the clampdown on the press was renewed as writers were harassed and arrested. Many writers, student leaders, and other dissidents fled to rebel-held border areas or to other countries, where the stereotypes of border-based insurgents, crafted over decades of government propaganda, began to break down.

Until recently, open discussion and implementation of media reform was only possible in exile. Exile media emerged as ethnic conflict raged after Burma's independence in 1948, with various journals produced in rural areas dependent on funding from various "insurgent fronts" (Smith, 1991, p. 69) and intermittent efforts at running ethnic minority radio stations. Burma's military governments have been particularly harsh on the ethnic nationality groups, restricting the teaching of minority languages in the nationalized school system and arresting ethnic nationality intellectuals charged with promoting such language use (Smith, 1991). Before 1988, the country remained isolationist and riddled with violence as ethnic nationality groups demanded either secession or genuine self-determination. These were concerns shared by others worldwide at the time, with implications for global communication policy.

Communication Rights: The Historical Debate

While Burma remained largely isolated from the outside world, vigorous debates about communication rights emerged in the late 1970s, as many nations in the global south called for a New World Information and Communication Order (NWICO). Within the context of the Cold War, these countries criticized "a continuation of imperialism by other means: patterns of information flows clearly still mirrored a centre-periphery power relationship concerning content as well as infrastructure" (Hamelink & Hoffman, 2008, p. 2; Hintz, 2009). They demanded more control over the means of communication and an alternative to the concept of "freedom of information . . . seen as an aid for those in power to maintain hegemony in a one-way process of information transmission" (Hamelink & Hoffman, 2008, p. 2).

These critics called for the "right to communicate" (R2C) in an attempt to promote the rights of marginalized peoples to not only receive information but express themselves and shape their own stories and images. The MacBride Report, written in response to these concerns, concluded that the R2C should

[2] Although the number of people killed in 1988 is unknown, estimates count as many as 3,000 people killed by riot police in August 1988 alone and as many as 10,000 killed during three months of unrest, including thousands of monks (Smith, 1999).

be both an individual and a social right, and that its recognition would help democratize communication (MacBride Commission, 1980/2004). The 1983 UNESCO General Conference in Paris adopted a resolution indicating that

> the aim is not to substitute the notion of the right to communicate for any rights already recognized by the international community, but to increase their scope . . . particularly in view of the new possibilities of active communication and dialogue between cultures that are opened up by advances in the media. (UNESCO, 1983, as cited in Hamelink & Hoffman, 2008, p. 3)

NWICO supporters encountered intense resistance from the United States and its allies as the debates challenged the profitable operations of U.S. commercial media in foreign markets. The United States pushed the "free flow of information" doctrine to undermine calls for the R2C, arguing that the concept of collective or "people's rights" sidelines individual rights and strengthens the state's intervention in people's lives, an argument reflected in the assumptions of the Freedom House indices (Scoble & Wiseberg, 1981). Yet this position fails to acknowledge how colonized peoples relied on the concept of people's rights to legitimize their collective struggles for decolonization in the 1960s and 1970s (Roach, 1993). As Hamelink and Hoffman (2008) note, the R2C "eventually became the victim of ferocious ideological disputes, mutual distrust and incidental uprisings of paranoia which eventually made it impossible to consider the merits of all arguments in a rational manner" (p. 3). In 1984, the United States, the United Kingdom, and Singapore withdrew their membership and financial contributions from UNESCO, effectively ending the NWICO debates, and the R2C concept was practically banished from use, widely considered "politically incorrect" and a taboo topic at UNESCO (Mansell & Nordenstreng, 2006, p. 24).[3]

Concerns raised during the NWICO debates were echoed in the more recent two-part UN World Summit on the Information Society (WSIS), convened in 2003 and 2005 to address regulation of the Internet and other digital media in the age of technological convergence. Civil society was for the first time included in the UN process as a key stakeholder, and many hoped this would revive the R2C debate (Hamelink & Hoffman, 2008; Hintz, 2009; Mansell & Nordenstreng, 2006). Though both UN Secretary General Kofi Annan and the European Commission referred to the R2C as a fundamental right in their discussions of the WSIS (Alegre & Ó'Siochrú, 2005, as cited in Hamelink & Hoffman, 2008), the R2C was again intensely debated. Critics such as the World Press Freedom Committee argued that it would muzzle press freedom, and thus the final documents of the summit include no reference to the R2C, nor to the "cultural and sociopolitical dimensions of the digital divide and its related problems" (Cunningham, 2005, as cited in Hamelink & Hoffman, 2008, p. 5).

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[3] While the NWICO debates are often cited as the reason for the U.S. and UK withdrawal from UNESCO, Mansell and Nordenstreng (2006) argue that "the underlying cause . . . was a strategic shift away from multilateralism . . . that leading Western powers refused to be outvoted by the majority of the world's nations" (p. 23).

Advocates of the R2C agree that the concept must move beyond freedom of expression to address the "enabling conditions . . . necessary to give meaning to any freedom" (Hamelink & Hoffman, 2008, p. 6). Positive obligations of states have increasingly been recognized in international law as not only relevant to social, economic, and cultural rights but to freedom of expression, implying "certain obligations by states to ensure [its] effectiveness" (Hamelink & Hoffman, 2008, p. 8) such as ensuring a diversity of viewpoints and media outlets (see also Scoble & Wiseberg, 1981). For example, considering the R2C might require journalists to try harder to include marginalized people's perspectives and participation and policy makers to prioritize a community sector of media. The overall goal of an R2C, after all, is the democratization of communication, a goal shared by Burma's media practitioners.

Post-1988: The Burmese Media Duopoly

After the 1988 uprisings, censorship inside Burma tightened, while exile media flourished. Unlike the European duopolies of traditional public service media and more recent commercial media, the Burmese duopoly involved the increasingly interdependent and competitive internal and exile media. Htet Aung Kyaw (2009), a senior reporter with the *Democratic Voice of Burma*, identifies six forms of Burmese media, two of which are internal: the fully controlled state-run media (TV, shortwave and FM radio, and daily newspapers) and the "so-called private print media," which he argues were "75 percent government controlled" (para. 5). The remaining four types are exile media: the foreign-based broadcast media; the exile Internet news services (such as *Irrawaddy* and *Mizzima*); what he calls the "ethnic language internet news services"; and blogs inside and outside the country (para. 7). To this we should add the various exile print publications in Burmese and ethnic languages and, more recently, the languages of host countries such as Thailand.

The dissidents who fled Burma in 1988 had a significant advantage over border-based ethnic groups in their use of the globally celebrated discourses of human rights and democracy. These discourses resonated with the Reagan administration's ostensible mission to promote freedom and democracy worldwide in ways that the calls for self-determination by ethnic nationality groups did not (Brooten, 2004). This garnered the majority Burman dissidents much attention and, importantly, funding. So while at first many exile media were established as the mouthpieces or "propaganda" departments of dissident organizations, increased funding translated into training and capacity building, and the idea of media independence and professionalism gained traction.

After 1988, the ethnic nationality media grew slowly and worked to protect minority cultures against the assimilationist policies of the Burmese regime by calling for self-determination, a concern that the majority Burman dissident groups did not share and in many cases resisted (Brooten, 2008; H. Okker, personal communication, July 5, 2000). These ethnic nationality media perform a type of cultural activism, self-consciously using hybrid cultural forms that are often highly political, although not always recognized as such (Ginsburg, 1995). This includes promoting indigenous forms of knowledge, educating audiences about the local relevance of international policies, calling their audiences to action, and developing forms of participatory communication that counter stereotypes of ethnic minorities as passive victims (Brooten, 2008). These media help their audiences reconceptualize identities, reframing themselves not as victims in

need of charity but rather as marginalized by political and structural forces beyond their immediate control (Brooten, 2008), exemplifying functions of media that move beyond the provision of information.

Moving from Tactical to Relational and Transformative Communication

Burmese exile media, and especially ethnic nationality media, challenge dominant conceptions of media as tools of *information transmission* that neglect "media's position within networks of economic power" (Wasserman, 2006, p. 80). An alternative approach encourages us to see media as *relational* within the context of (local and global) communities (Hamelink & Hoffman, 2008), and *transformative* of ways of thinking and of identity formation (Rodriguez, 2011; Wasserman, 2006). Castells (2007), conceptualizing at the macro level, sees it as the building of "networks of meaning in opposition to networks of instrumentality" (p. 250). Such a conception is echoed in the MacBride Report's calls for "horizontal," "participatory," "decentralized," and "bottom up communication" (as cited in Hintz, 2009, p. 61) and in WSIS initiatives promoting community media. It recognizes the need for people to not just talk *to* but also *with* one another and, more importantly, to create space for other viewpoints in what Downing (2003) calls a "political ethics of listening" that must be "the ethical dimension at the heart of our models" (pp. 626, 632). This ethics of listening is an "essential response to the intensification of conflicts around the world between people of different origin, religious values, cultural practices and languages. It is a crucial instrument in the realization of human security" (Hamelink & Hoffman, 2008, p. 9).

This relational role of media is elaborated in scholarship on community and citizen's media and their role in what Rodriguez (2011) calls "transforming collective imaginaries" (p. 75). This is vital for marginalized groups who cannot access mainstream media with the same success as other groups, especially in multiethnic societies experiencing interethnic violence (Brooten, 2008; Ginsburg, 1995; Rodriguez, 2011; Wasserman, 2006). These groups, many having gone through political, geographic, or economic disruption, often explicitly "situate their work as continuous with struggles for political self-determination" (Ginsburg, 1995, p. 135). They engage in "processes of collective self-making" in which a community works out its collective identity in relation to the larger polity, often including "a narrative refusal of a victim status that is to be 'solved' by state aid" (Ginsburg, 1995, pp. 134, 135; see also Brooten, 2008; Rodriguez, 2011; Wasserman, 2006).

In countries in transition, media are thus a symbolic space where the newly restructured society is negotiated, calling for a conceptualization of media as a public sphere institution rather than an "industry" (Chalaby, 1998). Chalaby argues that purely commercial media practices can be detrimental to both empowerment and rational discourse through "depoliticization, emotionalism and sensationalism within the popular press and the information gap the market creates between social classes" (Chalaby, 1998, para. 41). Alterman (2011) argues that recent scholarship on the Arab Spring has concentrated on the importance of people's ability to *receive* information through social media, underplaying the importance of their ability to *send* content. This ability, he argues, transforms them "from observers of activism to activists themselves with a greater stake as leaders, not just followers, of unfolding events . . . making it easier for people to see themselves as activists within a movement they saw sweeping the country" (pp. 104, 112).

Burma's Transborder Mediascape

Over the years, exile media have found their way to major cities and elsewhere inside Burma sporadically, although it has been impossible (and dangerous) to document this with any certainty. The Internet has helped. As of June 2010, there were about 110,000 Internet users in Burma, a mere 0.2% penetration rate (Central Intelligence Agency, 2012), and usage remains confined primarily to urban areas or towns through the use of Internet cafes. Nevertheless, as ethnic nationality media and other groups post information onto the Internet, larger exile media groups and the major broadcast networks pick it up and broadcast it back into the country.

One important example of a transborder network that functions in both informational and transformative ways is the multiethnic media alliance established in 2003, Burma News International (BNI), a coalition of 11 independent news organizations, the majority of which are ethnic nationality media. The BNI is not a news group, but an umbrella organization that distributes the news of its member groups through its website (http://www.bnionline.net). BNI operates as a site for "one-stop shopping," as members like to put it, on issues in rural areas home to ethnic minorities and as a site for interethnic discussions. BNI meetings, for example, were the first place where representatives from the Rohingya and Rakhine groups, historically hostile enemies usually unwilling to even speak with each other, could be found seated side by side (Soe Myint, personal communication, November 7, 2008; L. Tydeman, personal communication, November 13, 2008). Even in the recent escalation of the Rohingya crisis in western Burma, both the Rakhine and the Rohingya media groups operate as equal members of the consortium, which includes their stories but has established a policy against hate speech (BNI Secretary Khin Maung Shwe, personal communication, July 7, 2012). Thus, while the network operates as a hub, the individual member news groups involve local communities in recounting their experiences and telling their own stories. In doing so, these communities begin to see themselves as caught in a problematic system rather than as somehow flawed themselves (Brooten, 2008).

The Saffron Revolution, Cyclone Nargis, and the 2010 Elections

Internal and exile media interdependence was especially apparent during the 2007 so-called Saffron Revolution; again in 2008, when Cyclone Nargis hit—the worst natural disaster in Burma in a century; and again during the country's 2010 elections. In 2007, monks led thousands of protestors to the streets after unannounced cuts in fuel subsidies brought on unexpected skyrocketing fuel prices. Exile media experienced a significant spike in audience during these protests. For example, *Mizzima* managing editor Sein Win told me that hits to its website jumped from the normal 10,000 or so per day to between 2 million and 3 million hits every 2 days, and the percentage of readers from inside Burma increased from 5% to about 30% (personal communication, September 20, 2008). Footage from citizen journalists inside the country was uploaded to the Internet or smuggled out of the country, then taken up by exile media and international news networks such as CNN, Al Jazeera, BBC, and VOA. I have described elsewhere how these events benefited the exile media, but not equally; the most prominent were rewarded with increased funding, while the less well-resourced ethnic nationality media struggled to contribute to the coverage with news of ongoing protests in their ethnic areas (Brooten, 2011; L. Tydeman, personal communication, November 13, 2008; Harn Yawnghwe, personal communication, November 23, 2008).

The cyclone diverted attention from ethnic nationality media activities in 2008, including the first ever joint project by BNI, a key event in the forging of this pan-ethnic network. BNI member groups conducted a survey in each of their respective regions of people's attitudes toward the government-drafted new constitution and the referendum to approve it, demonstrating the potential of this network in terms of its unique access in the ethnic states.[4] This report involved widespread participation by groups and individuals all over the country, with more than 2,000 responses from seven states and six divisions of Burma, making it the most comprehensive collection of data on the 2008 referendum, and inclusive of rural ethnic voices rarely heard in reporting on the country.

In 2010, BNI launched another report, entitled *Hobson's Choice: Burma's 2010 Elections,* a compilation of election news from BNI members that details how the election was carried out as well as election irregularities, including restrictions on journalists and on reporting about the elections (BNI, 2011). In 2012, BNI released another report, this time on the by-elections, to "help voters tell the world about their expectations and experiences during the election process" (BNI, 2012, p. 7).

Other exile media played important roles during the 2010 elections as well, especially the television broadcasts of the *Democratic Voice of Burma*. Discussing the role of transnational media in democratizing authoritarian states, Pidduck (2012) describes DVB's "unprecedented debates between candidates" (p. 547), which opened space for discussion among government-backed parties, opposition parties, and ethnic nationality parties. Perhaps the most important aspect of DVB's coverage, however, was its inclusion of people's voices from all over the country in call-in formats that began to forge a new "civic culture," and the station's function "as an archive of public memory in a context where all political expression . . . [carries] heavy penalties of imprisonment" (Pidduck, 2012, p. 550).

Recognizing Ethnic Nationality Media

While DVB's role in 2010 was widely recognized, BNI's was not. In addition to receiving little attention from all but a few donors, ethnic nationality media have not been prioritized by ethnic political leaders until recently, in part because many of these leaders still regard them as their political groups' public relations organizations. Harn Yawnghwe, a prominent Shan leader and former director of DVB, noted that:

> [Some] people are still not thinking in terms of a democracy. They're thinking this is the period of struggle, so everybody has to be united behind a single leader, behind a single message. But to me that's not democracy. So they're confusing that with what media should be trying to do. (personal communication, November 23, 2008)

This attitude has at times forced ethnic nationality media to work with other media groups, passing on problematic information about political leaders or groups to partner media organizations. For example,

[4] The BNI survey found that 69.6% of those 2,049 polled in seven states and six divisions did not understand the proposed constitution, but that 66.4% would vote no (BNI, 2008).

publishing information about the Kachin Independence Organization (KIO) could pose a security threat to a small news group such as the Kachin Network Group (KNG), yet keeping quiet is not an option, as KNG editor Naw Din explained.

> The KNG believes that news about the Kachin political groups should be known by the Kachin people: what they are doing, what they are planning for the Kachin people. . . . If they know the true story, for example, within the KIO, the fighting among the Kachin political groups, they have the power to criticize the Kachin leaders, and they can advise them. Most Kachin people know the truth, but they are afraid to tell the true story. . . . It's a problem psychologically with the Kachin people, because of the war. In the past, if you say something wrong . . . just one mistake, they kill you. SPDC [State Peace and Development Council] is also like this. (personal communication, July 29, 2005)

Exile media groups have become increasingly willing over the years to criticize leaders, who have also slowly begun to recognize the value of independent media. Harn Yawnghwe explained that "until recently the ethnic groups, the political groups have not seen the importance of the media, they have not really supported the ethnic media groups . . . [But] now there is a lot more consciousness about that" (personal communication, November 23, 2008). This significant shift in conceptions of the role of media has important implications for the future of Burmese media and politics.

2012 Media Developments

A flurry of media reform efforts in Burma in 2012 included several conferences with Information Ministry officials, UN agencies, ambassadors and other foreign officials, representatives of the local and foreign media, and various resource persons and guests. In late January, a 2-day media workshop attended by more than 100 journalists was cosponsored by the Myanmar Writers and Journalists Association and the Singapore-based Asia Media Information and Communication Centre. In March, a landmark Media Development Conference was held, cosponsored by UNESCO, in which wide-ranging discussions were held over a 2-day period. Burmese journalists I spoke with in June were suspicious and in some cases resentful of the exile journalists and foreign funding agencies now working closely with the government to promote media reform, a perhaps inevitable development during this period of transition. In late September, the *Democratic Voice of Burma* cosponsored a conference on public service media with foreign media advocacy groups and the new information minister, Aung Kyi, who publicly committed to transforming Burma's state-run broadcasting into public service media (personal communication, K. M. Win, October 18, 2012).

These events have been encouraging. During the March conference, UNESCO circulated its Media Development Indicators to attendees (UNESCO, 2008). While the Freedom House Index is said to measure the degree of freedom, UNESCO's index measures media development. Nevertheless, the measurement indicators clarify these indices' different visions of media freedom and to whom it applies. UNESCO's language is sensitive to the controversies that emerged during NWICO and WSIS, emphasizing the free flow of information while never referring to the right to communicate, though its indicators address R2C concerns. It explicitly recognizes, for example, the dangers of commercial as well as state interference in

media, broadening Freedom House's concept of independence. In addition, UNESCO's indicators emphasize issues of access for "all sectors of society, especially the most marginalized," and connect this explicitly to the need for "public and community-based media" (UNESCO, 2008, pp. 4–5).

Nevertheless, both the UNESCO and Freedom House indices have their limitations. They emphasize instrumental rather than structural forms of violence that prevent marginalized groups from accessing media, framing their analysis in terms of attacks on either individual journalists needing protection or on the human rights or cultural practices of minority groups. Both indices also employ a *state-centric framework*, measuring freedom and development solely in terms of the media found within state borders, overlooking the impact of exile and ethnic nationality media and the especially productive nature of the country's border regions (Brooten, in press).

Transitional Policy Considerations

It is not only in the ranking of countries that a state-centric approach and the limitations of an information transmission model of media become problematic in recognizing the important work going on in the media landscape. As Burma's media sector develops in the next few years, paying attention to the decades of cultural work of the exile media, and especially the ethnic nationality media, will be necessary to ensure a smooth transition to a healthy media sector. The Printers and Publishers Registration Law of 1962 is being amended as I write this, under the direction of Minister of Information Aung Kyi, who scrapped the old government-prepared version and has encouraged the participation of journalists in its rewriting. The Press Scrutiny Board has been closed, ending all prepublication censorship. After the announcement of a government-appointed 20-member core press council met with protests and calls for more participation from journalists, the council has been reshaped and expanded into a provisional Myanmar Press Council with leaders and members from major media associations. While the opposition National League for Democracy has not released a formal media policy, Aung San Suu Kyi and other National League for Democracy leaders have expressed their commitment to democratic institutions, including independent media, and have encouraged international broadcasters and exile media to continue their work until internal media are free to operate openly.

Although the current changes are to be encouraged, it is vital that the years of work by border-based groups and exile communities are not overlooked in the rush by funders to gain a foothold inside the country. Especially given Burma's history of ethnic distrust and conflict, the multiethnic media efforts developed in the border regions and in exile are among the most promising developments for genuine ethnic reconciliation, because they not only provide vital information but function in important symbolic ways, offering space for people to retell their stories, reassess their situation, and transform their collective identities.

Burmese political forces and foreign funders recognize the importance of ethnic issues in Burma, as interethnic fighting has historically provided the regime with justification for its violence against these groups. This bodes well for the recognition of the importance of ethnic nationality media. Nevertheless, policy makers and donors need to recognize the right of marginalized groups to communicate, and they

need to promote community-based media as a means of providing space for the negotiation of identities—even identities in opposition to the state. Without the right to air grievances and the space for open debate, people's hopes for change will remain frustrated, making violence more likely and obstructing much-desired reforms.

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